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10 THE FACEBOOK, INC. and MARK ZUCKERBERG

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION
14

15 THE FACEBOOK, INC. and MARK
16 ZUCKERBERG,

17 Plaintiffs,

18 v.

19 CONNECTU, INC. (formerly known as
20 CONNECTU, LLC), PACIFIC
NORTHWEST SOFTWARE, INC.,
21 WINSTON WILLIAMS, and WAYNE
CHANG,

22 Defendants.
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Case No. 5:07-CV-01389-JW

**DECLARATION OF THERESA A.
SUTTON IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ADMINISTRATIVE RELIEF,
PURSUANT TO CIVIL LOCAL
RULE 7-11, FOR CLARIFICATION
OF NOVEMBER 3, 2008, ORDERS**

1 I, Theresa A. Sutton, declare as follows:

2 1. I am an associate at the law firm of Orrick, Herrington & Sutcliffe, counsel for
3 Plaintiffs Facebook, Inc. and Mark Zuckerberg in this action, and a member of the Bar of the state
4 of California. I make this declaration in support of Plaintiffs' Motion for Administrative Relief
5 Pursuant to Civil Local Rule 7-11, for Clarification Of November 3, 2008, Orders. I make this
6 declaration of my own personal knowledge and, if called as a witness, I could and would testify
7 competently to the truth of the matters set forth herein.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of Michael Underhill's
9 November 6, 2008, letter to Neel Chatterjee.

10 3. A stipulation of the parties could not be obtained, as counsel for defendant
11 ConnectU would not agree to join Plaintiffs' Motion for Administrative Relief. A true and correct
12 copy of Mr. Underhill's November 10, 2008, email is attached hereto as **Exhibit B**.

13 I declare the foregoing is true and correct to the best of my knowledge. Executed this
14 10th day of November 2008, at Menlo Park, California.

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/s/ Theresa A. Sutton /s/
Theresa A. Sutton

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Dated: November 10, 2008.

/s/ Theresa A. Sutton /s/
Theresa A. Sutton